

### **REMARKS**

Claims 47, 48, 57, 62-67, 72 and 73 are pending. Claims 48, 63, 66, 67 and 72 are allowed.

#### **Claim Rejection Under 35 U.S.C. § 101**

Claim 47 is rejected under 35 U.S.C. § 101 as claiming the same invention as that of claim 33 of copending Application No. 10/081,936.

Claim 33 was canceled in copending Application No. 10/081,936 in the Amendment and Response to Restriction Requirement filed December 16, 2004. Applicants respectfully request withdrawal of the statutory double patenting rejection as applied to claim 47.

#### **Obviousness-Type Double-Patenting Rejection**

Claim 73 stands rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 3, 4, 9, 10, and 19-23 of U.S. Patent No 6,096,273.

A terminal disclaimer directed to 6,096,273 is enclosed herewith. Applicants respectfully request withdrawal of the obviousness-type double patenting rejection as applied to claim 73.

Claims 57, 62, 64, 65, and 73 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1, 3, 4, 9 and 10 of copending Application No. 10/081,936.

Claims 1, 3, 4, 9 and 10 were canceled in copending Application No. 10/081,936 in the Amendment and Response to Restriction Requirement filed December 16, 2004.

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Applicants respectfully request withdrawal of the statutory double patenting rejection as applied to claims 1, 3, 4, 9 and 10.

If the Examiner has any questions, she is invited to call the undersigned at (415) 781-1989.

Respectfully submitted,

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